

PATENT

ATTORNEY DOCKET NO. 114596-09-4016

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/425,401 Confirmation No.: 9510  
Applicant: John S. Yates, Jr., et al.  
Title: PROFILING PROGRAM EXECUTION TO IDENTIFY FREQUENTLY  
EXECUTED PORTIONS AND ASSIST BINARY TRANSLATION  
Filed: October 22, 1999 Art Unit: 2124  
Atty. Docket: 114596-09-4016 Examiner: John Q. Chavis

## AMENDMENT AND FEE TRANSMITTAL

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Transmitted herewith is an Amendment for the above-identified application. The fee for claims added by amendment has been calculated as shown below:

## CALCULATION OF AMENDMENT FEE

	Claims After Amendment		Covered by Previous Payments		Number Extra		Rate	Fee
Total Claims	33	-	30	=	3	×	\$50	\$150.00
Independent Claims	2	-	2	=	0	×	\$200	0
Total:								\$150.00

Please charge the fee to Deposit Account No. 23-2405, Order No. 114596-09-4016. The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment to Deposit Account No. 23-2405, Order No. 114596-09-4016.

In the event that further extension of time is required, Applicant petitions for that extension of time required to make this response timely. Kindly charge any additional fee, or credit any surplus, to Deposit Account No. 23-2405, Order No. 114596-09-4016.

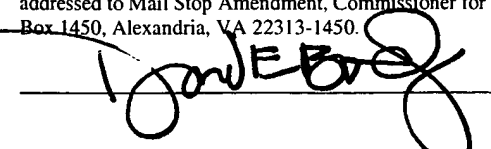
Respectfully submitted,

WILLKIE FARR &amp; GALLAGHER LLP

Dated: May 5, 2006By: 

David E. Boundy  
Registration No. 36,461  
WILLKIE FARR & GALLAGHER LLP  
787 Seventh Ave.  
New York, New York 10019  
(212) 728-8000  
(212) 728-8111 Facsimile

I certify that this correspondence, along with any documents referred to therein, is being deposited with the United States Postal Service on May 5, 2006 as First Class Mail in an envelope with sufficient postage addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.





**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 09/425,401 Confirmation No.: 9510  
Applicant: John S. Yates, Jr., et al.  
Title: PROFILING PROGRAM EXECUTION TO IDENTIFY FREQUENTLY  
EXECUTED PORTIONS AND ASSIST BINARY TRANSLATION  
Filed: October 22, 1999  
Art Unit: 2124  
Examiner: John Q. Chavis  
  
Atty. Docket: 114596-09-4016  
Customer No. 38492

**RESPONSE TO OFFICE ACTION**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicant hereby responds to the Office Action of January 26, 2006. Kindly amend the application as follows.

**PETITION FOR EXTENSION OF TIME**

Applicant petitions for a one-month extension of time to respond to the Office Action of January 26, 2006, to and including May 26, 2006. Kindly charge the petition fee of \$120.00 to Deposit Account No. 23-2405, Order No. 114596-09-4016.

**AMENDMENTS TO THE CLAIMS** begin on page 2 of this paper.

**REMARKS/ARGUMENTS** begin on page 10 of this paper.

05/09/2006 EAYALEW1 00000030 232405 09425401

01 FC:1202 150.00 DA  
02 FC:1251 120.00 DA

I certify that this correspondence, along with any documents referred to therein, is being deposited with the United States Postal Service on May 5, 2006 as First Class Mail in an envelope with sufficient postage addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.